

REMARKS

Attorney for applicants has carefully reviewed the outstanding Office Action on the present application. Applicants have amended Claims 1 and 12, and canceled Claims 2, 16, and 17. In the specification, paragraph [0015] has been amended.

Applicants' attorney is pleased to note that, at page 8 of the Office Action, the Examiner has indicated that Claim 2 contains allowable subject matter. Independent Claim 1 has been amended to include the features recited in Claim 2. In the foregoing circumstances, it is respectfully submitted that amended independent Claim 1 is in condition for allowance.

The Examiner has objected to Claim 12, as being of improper dependent form for failing to limit the subject matter of a previous claim. While applicants believe that Claim 12 is in proper form, applicants have amended Claim 12 to clarify that the insoluble precipitate of step a) is first calcined prior to selective leaching in step b).

With respect to Claims 3-15, they depend, either directly or indirectly, from amended independent Claim 1. In such circumstances, it is believed that Claims 3-15 are also in condition for allowance.

The Examiner has rejected Claims 16 and 17 under 35 U.S.C. 112, as being indefinite. The rejection to Claims 16 and 17 have been obviated by the cancellation herein of Claims 16 and 17.

Claims 1, 3-6, 16, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Kerfoot, et al. U.S. Patent No. 4,571,262. Claims 7, 10, and 13 are

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rejected under 35 U.S.C. 103(a) as being unpatentable over Kerfoot, et al. in view of Fleming, et al. U.S. Patent Publication No. 2002/0152845. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kerfoot, et al. in view of Thomas, et al. U.S. Patent. No. 4,615,731. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kerfoot, et al. in view of Fleming, et al. and GB 1,153,717. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kerfoot, et al. in view of GB 1,153,717. These rejections have been obviated by the amendment to Claim 1.

Claim 1 has been amended to take the allowable subject matter of Claim 2, and Claim 2 has been canceled to expedite issuance of a patent. Applicants make no admissions concerning the propriety of the rejections and respectfully disagrees with same. Applicants reserve the right to file continuation or divisional applications to protect the inventions of the original or canceled claims.

The Examiner contends that the Information Disclosure Statement filed on August 14, 2006 fails to comply with 37 C.F.R. 1.98(a)(2) since the publication by Fleet was not filed. In compliance with 37 C.F.R. 1.98(a)(2), applicants' attorney is resubmitting the Information Disclosure Statement, along with a copy of the requested publication.

In view of the foregoing amendments and remarks, applicants' attorney respectfully requests allowance of the present application. If such action cannot be taken, the Examiner is cordially invited to place a telephone call to applicants' attorney in order that any outstanding issue may be resolved without the issuance of a further

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Office Action.

No fees are believed to be due as a result of the submittal of this Amendment. If any such fees are due, including extension and petition fees, the Examiner is hereby authorized to charge them to Deposit Account No. 503571.

Respectfully submitted,



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